

1 M. Caleb Meyer, Esq.
Nevada Bar No. 13379
2 Renee M. Finch, Esq.
Nevada Bar No. 13118
3 Jaclyn Kliever, Esq.
Nevada Bar No. 14898
4 MESSNER REEVES LLP
5 8945 West Russell Road, Suite 300
Las Vegas NV 89148
6 Telephone: (702) 363-5100
7 Facsimile: (702) 363-5101
E-mail: cmeyer@messner.com
8 rfinch@messner.com
9 jkliwer@messner.com

Attorneys for Defendant

10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 BERTHA MORA, individually,

13 Plaintiff,

14 vs.

15 JOSEPH JOHN TOMASULO, individually;
16 and DOES 1 through 10; and ROE
17 ENTITIES 11 through 20, inclusive,

18 Defendants.

Case No. 2:19-cv-01423-GMN-BNW

**STIPULATION AND ORDER TO
CONTINUE TRIAL**

19 COMES NOW Defendant JOSEPH JOHN TOMASULO (“Defendant”), by and through his
20 counsel of record, M. Caleb Meyer, Esq., Renee M. Finch, Esq., and Jaclyn M. Kliever, Esq., of
21 Messner Reeves LLP, and Plaintiff BERTHA MORA, by and through her counsel of record, Lawrence
22 M. Ruiz, Esq. of the Ruiz Law Firm, and hereby stipulate and request that this Court continue the trial
23 currently set for February 8, 2021 at 9:00 a.m.

24 This request is necessary as both parties’ expert witnesses are experiencing scheduling
25 difficulties due to the ongoing Covid-19 public health crisis. The parties’ medical experts are facing
26 additional demands in their daily practice resulting from the ongoing state of emergency. As such, the
27 parties merely require additional time to assure that their respective experts are available to testify at
28

1 the time of trial. Additionally, Defendant resides in California and is concerned for his health and
2 safety in traveling to Nevada at this time, due to the ongoing public health crisis.

3 The parties have conferred regarding their respective availability and propose the following
4 trial dates: The weeks of August 23, 2021, August 30, 2021, October 4, 2021 and October 25, 2021
5 are available to both parties.

6 The parties further request a deadline for all dispositive Motions and Motions *in Limine* be
7 set ninety (90) days before the date of trial.

8 No previous continuance of trial has been requested in this matter. This stipulation and request
9 is entered into in good faith and not for purposes of delay.

10 APPROVED AS TO FORM AND CONTENT.

11 Dated this 15th day of January, 2021.

Dated this 15th day of January, 2021.

12 **MESSNER REEVES, LLP**

RUIZ LAW FIRM

13 By: /s/ Renee M. Finch, Esq.

14 By: /s/ Lawrence M. Ruiz, Esq.

15 M. Caleb Meyer, Esq.
16 Nevada Bar No. 13379
17 Renee M. Finch, Esq.
18 Nevada Bar No. 13118
19 Jaclyn M. Kliwer, Esq.
20 Nevada Bar. No. 14898
21 8945 West Russel Road, Suite 300
22 Las Vegas, Nevada 89148
23 *Attorney for Defendant*

Lawrence M. Ruiz, Esq.
Nevada Bar No. 11451
1055 Whitney Ranch Drive, Suite 110
Henderson, NV 89014
Attorney for Plaintiff

ORDER

24 IT IS HEREBY ORDERED that the Jury Trial is continued to Monday, August 23, 2021, at
25 8:30 a.m. and Calendar Call is continued to Tuesday, August 17, 2021, at 9:00 a.m.

26 IT IS FURTHER ORDERED that the parties shall have until August 12, 2021, to file exhibit
27 and witness lists, trial briefs, proposed voir dire, and proposed jury instructions.

28 
UNITED STATES DISTRICT JUDGE

January 26, 2021

CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b), I certify I am an employee of MESSNER REEVES, LLP, and on this 15th day of October, 2020, I served a copy of the foregoing **STIPULATION AND ORDER TO CONTINUE TRIAL** was filed and served upon the following by the method indicated:

Lawrence M. Ruiz, Esq.
RUIZ LAW FIRM
1055 Whitney Ranch Drive, Suite 110
Henderson, NV 89014
Email: lawrence@lmruizlaw.com
Attorneys for Plaintiff

<input checked="" type="checkbox"/>	via U.S. Mail
<input type="checkbox"/>	via Hand Delivery
<input type="checkbox"/>	via Facsimile
<input type="checkbox"/>	via Overnight Delivery
<input type="checkbox"/>	via CM/ECF
<input checked="" type="checkbox"/>	via Electronic Mail

/s/ James Alvarado
Employee of MESSNER REEVES LLP